



1995 SENATE BILL 335

September 19, 1995 - Introduced by Senator CLAUSING, cosponsored by Representatives GROTHMAN, HAHN, ZIEGELBAUER, LORGE, PLOMBON, RUTKOWSKI, SERATTI, ROBSON and WILDER. Referred to Committee on Judiciary.

1 **AN ACT** *to renumber* 814.51; *to amend* 814.61 (4); and *to create* 814.51 (2) of
2 the statutes; **relating to:** allowing a court to refund jury fees in civil cases.

Analysis by the Legislative Reference Bureau

Under current law, a court has the authority to assess the entire cost of one day's juror fees, including mileage, against either party or equally against both parties if a jury demand has been made and that demand is withdrawn within 2 days before the commencement of the trial. This bill gives the court the additional authority in civil cases to refund part or all of the juror costs, including mileage, if a jury demand has been made and the court dismisses the case or the court finds in favor of the party that demanded the jury.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 814.51 of the statutes is renumbered 814.51 (1).

4 **SECTION 2.** 814.51 (2) of the statutes is created to read:

5 814.51 (2) The court shall have discretionary authority in any civil action or
6 proceeding triable by jury to refund part or the entire cost of the juror fees under ss.
7 756.25 (1) and 814.61 (4), including all mileage costs, if a jury demand has been made
8 in the case and if the court dismisses the case or if the court enters a judgment in
9 favor of the party that demanded the jury.

